



General Assembly

January Session, 2003

Committee Bill No. 5900

LCO No. 4138

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING MUNICIPAL SERVICE WARRANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2003*) (a) Any collector of fees or
2 use charges for the provision of services by a special district
3 established under the general statutes or any special act, in the
4 execution of municipal service warrants, shall have the same authority
5 as state marshals have in executing the duties of their office, and any
6 constable or other officer authorized to serve any civil process may
7 serve a warrant for the collection of any fee or use charge assessed or
8 imposed, and the officer shall have the same authority as the collector
9 concerning fees and use charges committed to such officer for
10 collection. Upon the nonpayment of any fee or service charge when
11 due, demand having been made for the collection of such fee or use
12 charge, an alias municipal service warrant may be issued by the tax
13 collector.

14 (b) Any officer serving a warrant pursuant to subsection (a) of this
15 section shall make return to the collector of such officer's actions
16 thereon within ten days of the completion of such service of process
17 and shall be entitled to collect from such person the payment allowed

18 by law for serving executions issued by any court. Notwithstanding
19 the provisions of section 52-261 of the general statutes, any state
20 marshal or constable, authorized as provided in this section, who
21 executes such warrant and collects any delinquent fees or use charges
22 as a result thereof shall receive in addition to expenses otherwise
23 allowed, an amount equal to ten per cent of the fees or use charges
24 collected pursuant to such warrant. The minimum amount of payment
25 for such service shall be twenty dollars. Any officer unable to serve
26 such warrant shall, within sixty days after the date of issuance, return
27 such warrant to the collector and in writing state the reason it was not
28 served.

29 Sec. 2. (NEW) (*Effective July 1, 2003*) If any person fails to pay any
30 fees or use charges for the provision of services by a special district
31 established under the general statutes or any special act, the collector
32 or duly appointed agent of the collector shall make personal demand
33 for the amount such fee or use charge or leave written demand at the
34 usual place of abode of such person or deposit in some post office a
35 written demand for such amount, postage prepaid, addressed to such
36 person at such person's last-known place of residence or, if such
37 person is a corporation, limited partnership or other legal entity, such
38 notice may be sent to any person upon whom process may be served
39 to initiate a civil action against such corporation, limited partnership or
40 entity. After demand has been made in the manner provided in this
41 section, the collector may levy for such fees or use charges on any
42 goods and chattels of such person and post and sell them in the
43 manner provided in case of executions, such collector may enforce by
44 levy and sale any lien upon real estate for such amount of the fees or
45 user charges or such collector may levy upon and sell such interest of
46 such person in any real estate as exists at the date of the levy.

47 Sec. 3. (NEW) (*Effective July 1, 2003*) (a) Any collector of fees or use
48 charges for the provision of services by a special district established
49 under the general statutes or any special act, any state marshal or
50 constable authorized by such collector, shall, during their respective

51 terms of office, have authority to collect any fees or use charges due
 52 the special services district served by such collector for which a proper
 53 warrant and a proper alias municipal service warrant, in the case of the
 54 deputized officer, have been issued. Such alias municipal service
 55 warrant may be executed by any officer above named in any part of
 56 the state, and the collector in person may demand and collect fees or
 57 use charges in any part of the state on a proper warrant. Any such state
 58 marshal or constable so authorized who executes such an alias
 59 municipal service warrant outside of such marshal's or constable's
 60 precinct shall be entitled to collect from the person owing the fees or
 61 user charges the payment allowed by law, except that the minimum
 62 total payment shall be five dollars and the maximum total payments
 63 shall be fifteen dollars for each alias municipal service warrant so
 64 executed. Upon the expiration of the collector's term of office said
 65 collector shall deliver to his or her immediate successor in office the
 66 bills not fully collected and such successor shall have authority to
 67 collect the fees and user charges due thereon. Any person who fails to
 68 deliver such bills to such person's immediate successor within ten days
 69 from the qualification of such successor shall be fined not more than
 70 two hundred dollars or imprisoned not more than six months or both.

71 (b) When any collector, after having settled his or her bill with the
 72 proper officers, dies before completing the collection of the tax, his or
 73 her executor or administrator may, within six years after his or her
 74 decease, recover the amount uncollected from those liable to pay the
 75 same, with interest thereon.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>

Statement of Purpose:

To facilitate the collection by tax collectors of fees and use charges owed for the provision of municipal services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. SERRA, 33rd Dist.

H. B. 5900